

NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO. _____

_____,
Plaintiff,

v.
_____,
Defendant.

NOTICE OF DIVORCE HEARING

☐ First ☐ Subsequent

PLEASE READ ALL INSTRUCTIONS ON THE BACK BEFORE COMPLETING THIS FORM

1. Please check one:
☐ I am an attorney; ☐ I have an attorney; ☐ My spouse has an attorney;
☐ No attorneys are involved in this case.
2. Date requested for divorce hearing: _____
3. I understand that a copy of this document must be sent to the other party: ☐ Yes ☐ No
4. Do you need an interpreter? ☐ Yes ☐ No If so, what language: _____
5. Does your spouse need an interpreter? ☐ Yes ☐ No If so, what language: _____
6. I wish to schedule this matter for ☐ Trial ☐ Summary Judgment ☐ Summary Judgment and/or Trial.

*****DO NOT FILL OUT THIS BOX – CLERK TO COMPLETE*****

ALL PARTIES ARE HEREBY NOTIFIED THAT the divorce hearing in this case will take place on the **date in #2** above in **Courtroom 5B** of the **Wake County Courthouse located at 316 Fayetteville Street, Raleigh, North Carolina** at:

☐ **9:00 a.m.** (Check for Attorney cases)

☐ **10:30 a.m.** (Check for Unrepresented Parties)

The matter will be heard for (check one box) ☐ Trial ☐ Summary Judgment ☐ Summary Judgment and/or Trial.

CERTIFICATE OF SERVICE:

I hereby certify that a copy of this **Notice of Hearing** has been served on all parties/counsel in the following manner:

☐ By depositing a copy in the US Mail in a properly addressed, postpaid envelope to: _____

☐ By hand delivery to: _____

☐ Other: _____

Date: _____

(Signature)

(Printed name)

☐ Plaintiff

☐ Attorney for Plaintiff

☐ Defendant

☐ Attorney for Defendant

PLEASE READ ALL INSTRUCTIONS BEFORE COMPLETING THE FRONT OF THIS FORM

****NOTICE OF HEARING FEE WITH MOTION FOR SUMMARY JUDGMENT - \$20****

All uncontested divorces (without request for incorporation of separation agreement) and motions for summary judgment in divorce cases may be set by this notice. Divorces with attorneys will be heard at **9:00 a.m.** on FRIDAYS in Courtroom 5B, and divorces without attorneys (i.e., self-represented persons) will be heard at **10:30 a.m.** on FRIDAYS in Courtroom 5B.

NOTICE TO INDIVIDUALS WITHOUT ATTORNEYS:

You must follow the instructions listed below

- The earliest date your divorce hearing may be scheduled is the first FRIDAY 41 days AFTER the Summons and Complaint were served on your spouse. If that date falls on a Court holiday, you will need to select another Friday. If you arranged for Sheriff's service, you will receive a small white card from the Clerk of Superior Court showing the date of service. If you chose a different method of service, you will need to provide proof to the Court as to when you served the Defendant. See Rule 4 Instructions for Initial Service of the Summons and Complaint on Defendant.
- Complete the appropriate portions of this Notice of Hearing and take three (3) copies to the Clerk's Office located on the 1st floor of the Wake County Courthouse. Have all three copies file stamped. Leave one copy with the Clerk, serve one copy on your spouse, and keep one copy for yourself. This Notice must be served on your spouse at least 5 business days prior to the scheduled hearing (excluding weekends or court holidays). Service of this Notice may be made by sending it via U.S. mail in a properly addressed envelope, postpaid, to your spouse's last known address, by delivery to your spouse's attorney of record, or by hand delivery to your spouse. See Rule 5 of the North Carolina Rules of Civil Procedure.
- If you are seeking summary judgment rather than, or in addition to a trial, you must also file a motion for summary judgment. The motion must be served on the other party at least 10 days prior to the hearing.
- On the date designated in blank #2 on the front of this form, go to **Courtroom 5B** and be seated. The cases will be called in numerical order. Please bring **THREE** copies of the **JUDGMENT FOR ABSOLUTE DIVORCE**. At the hearing, you will be given a Certificate of Absolute Divorce that must be filled out on the date of the hearing in **Black Ink**.

*Please note, Employees of the Clerk's Office or the Court are **PROHIBITED BY LAW** from advising you regarding your legal situation.*